

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEREMY LEVIN and DR. LUCILLE
LEVIN,

Plaintiffs,

-against-

BANK OF NEW YORK, JPMORGAN
CHASE, SOCIETE GENERALE and
CITIBANK

Defendants

-against-

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JAMES OWENS, GARY ROBERT
OWENS, BARBARA GOFF, FRANK B.
PRESSLEY, JR., YASEMIN B.
PRESSLEY, DAVID A. PRESSLEY,
THOMAS C. PRESSLEY, MICHAEL F.
PRESSLEY, BERK F. PRESSLEY, JON B.
PRESSLEY, MARC Y. PRESSLEY,
SUNDUS BUYUK, MONTINE BOWEN,
FRANK PRESSLEY, SR., BAHAR
BUYUK, SERPIL BUYUK, TULAY
BUYUK, AHMET BUYUK, DOROTHY
WILLARD, ELLEN MARIE BOMER,
DONALD BOMER, MICHAEL JAMES
CORMIER, ANDREW JOHN WILLIAM
CORMIER, ALEXANDER RAIN
CORMIER, PATRICIA FEORE, CYLDE
M. HIRN, ALICE M. HIRN, PATRICIA K.
FAST, INEZ P. HIRN, JOYCE REED,
WORLEY LEE REED, CHERYL L.
BLOOD, BRET W. REED, RUTH ANN
WHITESIDE, LORIE GULICK, PAM
WILLIAMS, FLOSSIE VARNEY, LINDA
JANE WHITESIDE LESLIE, LYDIA
SPARKS, HOWARD SPARKS, TABITHA
CARTER, HOWARD SPARKS, JR.,
MICHAEL RAY SPARKS, GARY O.
SPIERS, VICTORIA Q. SPIERS,
VICTORIA J. SPIERS, JULITA A.
QUALICIO, RIZWAN KHALIQ, JENNY
CHRISTINA LOVBLOM., JUDITH
ABASI MWILA (Personal Representative

Civil Action No. 09 Civ. 5900 (RPP)

of the Estate of Abbas William Mwila), WILLIAM ABASI MWILA, EDINA ABASI MWILA, HAPINESS ABASI MWILA, DONTE AKILI MWAIPAPE, DONTI AKILI MWAIPAPE, VICTORIA DONTI MWAIPAPE, ELISHA DONTI MWAIPAPE, JOSEPH DONTI MWAIPAPE, DEBORA DONTI MWAIPAPE, NKO DONTI MWAIPAPE, MONICA AKILI, AKILIMUSUPAPE, VALENTINE MATHEW KATUNDA, ABELLA VALENTINE KATUNDA, VENTA VALENTINE MATHEW KATUNDA, DESIDERY VALENTINE MATHEW KATUNDA, VEIDIANA VALENTINE KATUNDA, DIANA VALENTINE KATUNDA, EDWINE VALENTINE MATHEW KATUNDA, ANGELINA METHEW FELIX, EDWARD MATHEW RUTAHESHELWA, ELIZABETH MATHEW RUTAHESHELWA, ANGELINA MATHEW RUTAHESHELWA, HAPPINESS MATHEW RUTAHESHELWA, ERIC MATHEW RUTAHESHELWA, ENOC MATHEW RUTAHESHELWA, ANGELINA MATHEW-FERIX, MATHEW FERIX, SAMUEL THOMAS MARCUS, CECILIA SAMUEL MARCUS, CORONELLA SAMUEL MARCUS, HANUNI RAMADHANI NDANGE (personal Representative of the Estate of Yusuf Shamte Ndange), ABDU YUSUPH SHAMTE NDANGE, JUMA YUSUPH SHAMTE NDANGE, MWAJABU YUSUPH SHAMTE NDANGE, ALLI KINDAMBA NG'OMBE. PAULINA MBWANILWA NG'OMBE, MOHAMED ALLI NG'OMBE, KINDAMBA ALLI NG'OMBE, SHABANI SAIDI MTUYLA (Personal Representative of the Estate of Mtendeje Rajabu Mtuyila), ABDUL SHABANI MTUYLA, SAIDI SHABANI MTUYLA, ADABETH SAID NANG'OKO (Personal Representative of the Estate of

Rogath Saidi Saidi), VERONICA ALOIS
SAIDI, JOHN ROGATH SAIDI, DANIEL
ROGATH SAIDI, SELINA ROGATH
SAIDI, IDIFONCE ROGATH SAIDI,
AISHA MAWAZO, KULWA
RAMADHANI (Personal Representative of
the Estate of Dotio Ramadhani), KASSIM
RAMADHANI, RENEMA RAMADHANI,
UPEMDO RAMADHANI, MAJALIWA
RAMADHANI, and WENGO
RAMADHANI.

Third-Party Defendants

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**OWENS THIRD-PARTY DEFENDANTS' ANSWER TO THIRD-PARTY COMPLAINT
ALLEGING CLAIMS IN THE NATURE OF THE BANK OF NEW YORK MELLON
INTERPLEADER WITH RESPECT TO PHASE TWO ASSETS AGAINST JUDGMENT
HOLDERS AND PLAINTIFFS IN OTHER ACTIONS AGAINST IRAN IN
ACCORDANCE WITH THE COURT'S SEPTEMBER 16, 2011 ORDER**

Third-Party Defendants James Owens, Gary Robert Owens, Barbara Goff, Frank B. Pressley, Jr., Yasemin B. Pressley, David A. Pressley, Thomas C. Pressley, Michael F. Pressley, Berk F. Pressley, Jon B. Pressley, Marc Y. Pressley, Sundus Buyuk, Montine Bowen, Frank Pressley, Sr., Bahar Buyuk, Serpil Buyuk, Tulay Buyuk, Ahmet Buyuk, Dorothy Willard, Ellen Marie Bomer, Donald Bomer, Michael James Cormier, Andrew John William Cormier, Alexander Rain Cormier, Patricia Feore, Cylde M. Hirn, Alice M. Hirn, Patricia K. Fast, Inez P. Hirn, Joyce Reed, Worley Lee Reed, Cheryl L. Blood, Bret W. Reed, Ruth Ann Whiteside, Lorie Gulick, Pam Williams, Flossie Varney, Linda Jane Whiteside Leslie, Lydia Sparks, Howard Sparks, Tabitha Carter, Howard Sparks, Jr., Michael Ray Sparks, Gary O. Spiers, Victoria Q. Spiers, Victoria J. Spiers, Julita A. Qualicio, Judith Abasi Mwila (Personal Representative of the Estate of Abbas William Mwila), William Abasi Mwila, Edina Abasi Mwila, Happiness Abasi Mwila, Donte Akili Mwaipape, Donte Akili Mwaipape, Victoria Donte Mwaipape, Elisha Donte Mwaipape, Joseph Donte Mwaipape, Debora Donte Mwaipape, Nko Donte Mwaipape, Monica Akili, Akilimusupape, Valentine Mathew Katunda, Abella Valentine Katunda, Venta Valentine Mathew Katunda, Desidery Valentine Mathew Katunda, Veidiana Valentine Katunda, Diana Valentine Katunda, Edwine Valentine Mathew Katunda, Angelina Mathew Felix, Edward Mathew Rutaheshelwa, Elizabeth Mathew Rutaheshelwa, Angelina Mathew Rutaheshelwa, Happiness Mathew Rutaheshelwa, Eric Mathew Rutaheshelwa, Enoc Mathew Rutaheshelwa, Angelina Mathew-Ferix, Mathew Ferix, Samuel Thomas Marcus, Cecilia Samuel Marcus, Coronella Samuel Marcus, Hanuni Ramadhani Ndange (Personal Representative of the Estate of

Yusuf Shamte Ndange), Abdu Yusuph Shamte Ndange, Juma Yusuph Shamte Ndange, Mwajabu Yusuph Shamte Ndange, Alli Kindamba Ng'ombe. Paulina Mbwaniwa Ng'ombe, Mohamed Alli Ng'ombe, Kindamba Alli Ng'ombe, Shabani Saidi Mtulya (Personal Representative of the Estate of Mtendeje Rajabu Mtulya), Abdul Shabani Mtulya, Saidi Shabani Mtulya, Adabeth Said Nang'oko (Personal Representative of the Estate of Rogath Saidi Saidi), Veronica Alois Saidi, John Rogath Saidi, Daniel Rogath Saidi, Selina Rogath Saidi, Idifonce Rogath Saidi, Aisha Mawazo, Kulwa Ramadhani (Personal Representative of the Estate of Dotio Ramadhani), Kassim Ramadhani, Renema Ramadhani, Upemdo Ramadhani, Majaliwa Ramadhani, Wengo Ramadhani, Rizwan Khaliq and Jenny Christina Lovblom, (collectively the "Owens Third-Party Defendants") by their undersigned attorneys, for their answer to the Third-Party Complaint Alleging Claims in the Nature of Interpleader against Bank of New York Mellon, allege as follows:

Nature of Proceedings

1. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Third-Party Complaint.
2. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Third-Party Complaint.

The Third-Party Plaintiffs

3. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Third-Party Complaint.

The Third-Party Defendant Judgment Creditors/Plaintiffs

4. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Third-Party Complaint.

5. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Third-Party Complaint.
6. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the Third-Party Complaint.
7. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the Third-Party Complaint.
8. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 8 of the Third-Party Complaint.
9. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 of the Third-Party Complaint.
10. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 10 of the Third-Party Complaint.
11. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 11 of the Third-Party Complaint.
12. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12 of the Third-Party Complaint.
13. Admit the allegations based on information and belief the allegations contained in paragraph 13 of the Third-Party Complaint.
14. Admit the allegations based on information and belief the allegations contained in paragraph 14 of the Third-Party Complaint.
15. Admit the allegations based on information and belief the allegations contained in paragraph 15 of the Third-Party Complaint.

The Wire Transfer Third-Party Defendants

16. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 16, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 16.
17. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 17, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 17.
18. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 18, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 18.
19. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 19, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 19.
20. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 20, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 20.
21. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 21, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 21.
22. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 22, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 22.

23. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 23, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 23.
24. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 24, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 24.
25. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 25, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 25.
26. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 26, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 26.
27. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 27, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 27.
28. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 28, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 28.
29. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 29, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 29.

30. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 30, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 30.
31. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 31, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 31.
32. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 32, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 32.
33. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 33, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 33.
34. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 34, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 34.
35. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 35, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 35.
36. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 36, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 36.

37. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 37, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 37.
38. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 38, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 38.
39. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 39, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 39.
40. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 40, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 40.
41. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 41, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 41.
42. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 42, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 42.
43. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 43, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 43.

44. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 44, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 44.
45. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 45, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 45.
46. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 46, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 46.
47. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 47, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 47.
48. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 48, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 48.
49. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 49, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 49.
50. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 50, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 50.

51. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 51, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 51.
52. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 52, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 52.
53. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 53, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 53.
54. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 54, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 54.
55. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 55, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 55.
56. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 56, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 56.
57. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 57, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 57.

58. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 58, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 58.
59. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 59, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 59.
60. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 60, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 60.
61. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 61, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 61.
62. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 62, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 62.
63. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 63, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 63.
64. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 64, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 64.

65. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 65, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 65.
66. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 66, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 66.
67. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 67, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 67.
68. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 68, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 68.
69. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 69, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 69.
70. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 70, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 70.
71. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 71, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 71.

72. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 72, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 72.

73. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 73, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 73.

74. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 74, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 74.

75. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 75, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 75.

76. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 76, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 76.

77. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 77, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 77.

78. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 78, if a response is required the Owens Third-Party Defendants deny any allegations contained in paragraph 78.

Islamic Republic of Iran

79. The Owens Third-Party Defendants admit based on information and belief the allegations contained in paragraph 141 of the Third-Party Complaint.

80. Admit the allegations based on information and belief the allegations contained in paragraph 15 of the Third-Party Complaint.

81. Admit the allegations based on information and belief the allegations contained in paragraph 15 of the Third-Party Complaint.

Jurisdiction and Venue

82. The Owens Third-Party Defendants cannot neither admit nor deny any of the allegations contained in paragraph 82. Paragraph 82 of the Third-Party Interpleader states conclusions of law to which no response is required, and to the extent a response is required, the Owens Third-Party Defendants deny the allegations.

83. Paragraph 83 of the Third-Party Interpleader states conclusions of law to which no response is required, and to the extent a response is required, the Owens Third-Party Defendants deny the allegations.

Factual Background

84. Paragraph 84 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

85. Paragraph 85 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or

belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

86. Paragraph 86 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

87. Paragraph 87 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

88. Paragraph 88 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

89. Paragraph 89 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

90. Paragraph 90 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

91. Paragraph 91 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.
92. Paragraph 92 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.
93. Paragraph 93 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.
94. Paragraph 94 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.
95. Paragraph 95 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.
96. Paragraph 96 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or

belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

97. Paragraph 97 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

98. Paragraph 98 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

99. Paragraph 99 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

100. Paragraph 100 of the Third-Party Complaint contains facts alleged in pleadings of another party to which the Owens Third-Party Defendants do not have sufficient information or belief on which to base a response, if a response is required the Owens Third-Party Defendants deny the allegations.

101. Paragraph 101 contains no allegation requiring a response from the Owens Third-Party Defendants.

102. Paragraph 102 contains no allegation requiring a response from the Owens Third-Party Defendants.

103. Paragraph 165 contains no allegation requiring a response from the Owens Third-Party Defendants.

First Claim for Relief

104. The Owens Third-Party Defendants repeat and reallege each and every response contained in paragraphs 1 through 103 as if fully set forth herein.

105. Paragraph 105 of the Third-Party Petition states a conclusion of law to which no response is required, and to the extent a response is required, the Owens Third-Party Defendants deny the allegations.

106. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 106 of the Third-Party Petition.

Second Claim for Relief

107. The Owens Third-Party Defendants repeat and reallege each and every response contained in paragraphs 1 through 106 as if fully set forth herein.

108. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 108 of the Third-Party Petition.

109. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 109 of the Third-Party Petition.

110. Paragraph 110 of the Third-Party Petition states a conclusion of law to which no response is required, and to the extent a response is required, the Owens Third-Party Defendants deny the allegations.

Third Claim for Relief

111. The Owens Third-Party Defendants repeat and reallege each and every response contained in paragraphs 1 through 110 as if fully set forth herein.

112. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 112 of the Third-Party Petition.

AFFIRMATIVE DEFENSES

113. The Owens Third-Party Defendants reserve the right to assert any affirmative defenses and counterclaims that may become apparent after additional discovery or otherwise.

Date: October 11, 2011

Respectfully submitted,

/s/ Annie P. Kaplan, Esq.

Annie P. Kaplan

NY Bar No. APK2222

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